

THE NEWS OF NORFOLK ON PAGES TWO, THREE, AND FIVE.

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COURT DECISIONS.

Notes of Cases Recently Decided,
Which are of Interest to
Our People.DIGESTED BY W. B. MARTIN,
(Exclusively for Virginian-Pilot.)

ELLIS V. LEONARD.

Supreme Court of Iowa.
February 1, 1899.

WHERE DEFENDANT TESTIFIED THAT HE WAS RUN OVER BY PLAINTIFF'S CATTLE, IT WAS ERROR FOR THE COURT TO INSTRUCT THE JURY THAT, IN DETERMINING DEFENDANT'S NEGLIGENCE IN NOT GETTING OUT OF THE WAY, THEY COULD CONSIDER THE INSTINCT WHICH USUALLY EXISTS IN THE HUMAN BREAST FOR SELF-PRESERVATION.

Plaintiff brought this action for \$500 on a contract made by the defendant for the purchase of 50 head of steers. The defendant, by way of counterclaim, alleged that, on the day plaintiff took the cattle from defendant's farm, the defendant helped to drive the cattle to the place of weighing, and that the plaintiff knowing the cattle were wild and unmanageable, negligently, willfully and maliciously drove the cattle over the defendant's whip and riding by the horse against them, by which the defendant was greatly and permanently injured, and he claimed damages of \$1,000. There was a verdict and judgment for defendant for one dollar, and plaintiff appealed.

The court says: Appellant makes but one assignment of error, namely—there was error in the giving of instruction No. 14½ to the jury, which instruction is as follows: "In determining whether or not the defendant was negligent in not getting out of the way of the cattle, you may take into consideration the instinct which usually exists in the human breast for self-preservation; that is, the inclination of a human being in a moment of danger to do all in his power, under the circumstances, to protect himself from bodily injury. You may take into consideration the surroundings of the defendant, the excitement of the moment, the promptness with which he was required to act, and all the facts and circumstances as they presented themselves to him, his age and activity. If, in view of all the facts and circumstances you find that the defendant exercised such care as an ordinarily careful and prudent man would have exercised under the same circumstances, then you would not be justified in finding him guilty of contributory negligence in said matter. If he did not, he cannot recover on his counterclaim." Appellant's contention is that, as the defendant was present and testified in the case, the presumption that arises from the instinct of self-preservation has no application to the case, and in this he is clearly correct. Reversed.

DIVINE SERVICES SUNDAY.

PRESBYTERIAN.

First Church, between Holt and Cove streets.—Preaching by the pastor, Rev. Edward Mack, at 11 a. m. and 8 p. m. Children's Day exercises at 4:30 p. m. Address by Rev. U. P. McIlwaine, missionary to Japan, Westminster League prayer meeting at 7:15 p. m.

Second, Freemason, near Boush street.—Preaching by the pastor, Rev. W. S. Lacy, D. D., at 11 a. m. and 8 p. m. Sunday school at 9:30 a. m. All services during the week upon the church are held in the Sunday school room, entrance on Boush street.

Park Place.—Preaching by the pastor, Rev. G. W. Lawson, at 11 a. m. Subject: "Infidelity to Trusts." Sunday school at 9:30 a. m. The commission appointed for that purpose by the Norfolk Presbyterian will organize the church at 8 p. m. The Rev. Edward Mack, of the First Church, will deliver the charge to the people, and the Rev. E. B. McChesney, of the Park Avenue Church, the charge to the elders and deacons. Elder W. H. Collins, of the First Church, will speak of the relations of that church to the new organization.

METHODIST EPISCOPAL.
Epworth, corner Freemason and Boush streets.—Preaching by the pastor, Rev. W. J. Young, D. D., at 11 a. m. and 8 p. m. Morning subject: "America the Servant of the World;" evening, "Yard Sticks and Pounds."
Cumberland, between Holt and Cove streets.—Preaching by the pastor, Rev. H. E. Johnson, D. D., at 11 a. m. and 8 p. m. Morning subject: "That Wonderful Gospel, For Whom?" evening, "The Choice of Esau."
Trinity, corner of Maltby and Corprew avenues, Brambleton.—Preaching by the pastor, Rev. Lloyd T. Williams, at 11 a. m. and 8 p. m. Morning subject: "Christ's Prayer for His Disciples;" evening, "The Secret of Samson's Strength." Sunday school at 9:30 a. m.

McKendree, corner of Clay and Chalmers avenues, Brambleton.—Preaching by the pastor, Rev. R. H. Bennett, at 11 a. m. and 8 p. m. Revival services at night.

Centenary, corner of Boush and Queen streets.—Preaching by the pastor, Rev. W. H. Edwards, at 11 a. m. and 8 p. m. Sunday school at 9:15 a. m.

Huntersville.—Preaching by the pastor, Rev. Daniel T. Merritt, at 11 a. m. and 8 p. m. Sunday school at 9:30 a. m.

Queen, corner of Pulaski and Queen streets.—Preaching by the pastor, Rev. S. C. Hatcher, at 11 a. m. and 8 p. m. LeKies Memorial, corner of Camp Avenue and Fort street, Atlantic City.

Children's Day at 11 a. m. Preaching by the pastor, Rev. W. T. Williams, at 8 p. m. Sunday school at 9:15 a. m. Lambert's Point.—Preaching by the pastor, Rev. George H. Spooner, at 11 a. m. and 8 p. m.

BRIEF ITEMS OF INTEREST.

The Secretary of War has ordered Battery B, Third Artillery, from Fort Monroe, Va., to report to the Commanding General, Department of California, for assignment to duty.

Rev. R. S. Baughan, of Burkeville, was in Norfolk yesterday.

Mrs. J. W. Baesett, while on a recent visit to the Eastern Shore, had a miraculous escape from death by lightning.

Judge Hanchel, of the Corporation Court, has gone on a fishing trip on the Eastern Shore. He will be home Monday.

The Harry Smith, whose name was signed to a card in yesterday's Virginian-Pilot, is not Harry Smith, the Atlantic City druggist.

Captain Salter, of the ship King's County, returned yesterday from his home in Nova Scotia, where he has been on a visit. His ship will probably be loaded by to-night.

Mr. N. H. Mitchell, of Pasadena, California, who came on with the remains of Mr. Samuel W. Phillips, left by Washington steamer yesterday. He will visit Washington and New York City before he returns home.

A musical recital by Norfolk talent will be given in Elizabeth City, N. C., next Tuesday evening. The participants are Miss Sallie Kindred Williams, Mr. Wm. Richards, Mr. R. W. Woodley and Mrs. A. B. Warrington.

Mrs. Goldman, of Washington, D. C., and daughter, are the guests of Mr. and Mrs. D. G. Goldman, on Bank street.

Lieutenant Curtis, of the Norfolk navy yard, and Naval Constructor L. S. Adams, who is now in Europe on a bridal tour, have rented the Glennan cottage at Virginia Beach for the summer.

Any one desiring to adopt an intelligent boy, 10 years old, will find information in our advertising columns to guide them.

A large number of cottages are being erected at Ocean View by residents of Norfolk.

Mr. Sol. Himmel, of Baltimore, the well known salesman of store, office and bar fixtures, is in the city. He says that Norfolk is on a boom, and is the busiest city that he has recently visited. He booked heavy orders here.

The local chapters of the Daughters of the American Revolution, who paid a visit to Yorktown this week, are thinking strongly of acquiring the old Moore House there, which is famous for having been used in arranging the surrender of Yorktown.

The body of Captain Nelson, of the schooner Oak, who was drowned off Old Point wharf last week, was recovered Thursday night. The remains were sent to New York for interment. The brick work on the new Federal post-office and public building was begun yesterday.

Atlantic Lodge of Masons had work in the third degree last night.

The U. S. supply ship Glacier arrived at Lambert's Point last night for bunker coal. She is en route from New York to Manila, via the Suez Canal.

Messrs. E. Cross & Son, the contractors, are arranging to begin the work of piling for the new Salomonsky business house on Granby street, at the foot of City Hall avenue. The building has already been described in these columns.

ELKS SOCIAL SESSION.

ONE OF THE MOST DELIGHTFUL EVER HELD IN NORFOLK.

One of the most delightful social sessions ever held by the Elks of Norfolk was given last night at their hall, Mr. C. W. Murdaugh, Jr., of Portsmouth, presiding.

There were present a large number of brother Elks from Portsmouth, several from Hampton, and Mr. W. E. Garry, of Utica Lodge, No. 33, Utica, N. Y. Mr. Garry made the hit of the evening with his new jokes, stories and beautiful ballad, "In Old Virginia Far Away."

Among the other numbers well received were the songs by J. E. Duncan, among which were "A Day Dream," by Breleski; and Prof. Casey and George Norton's latest production, "In the Shenandoah Valley," a humorous recitation by Fred. Chisnell, a cake-walk by several couples, in which many new and striking figures were given for the first time; Buck Newell's funny song, and an explanation of the mysteries of the pest-house, by Otto Sandman. The good things on the program were so numerous that it is impossible to do them all justice.

The number of local and visiting Elks numbered about two hundred. Impressive speeches were made by Mr. John Brady, Past Exalted Ruler, of Portsmouth Lodge, and Past Exalted Ruler Dalby, of Norfolk Lodge, which created great enthusiasm.

The success of the evening was largely due to the committee in charge, composed of Messrs. Hy. C. Wall, W. L. Baker, Jos. Martin, L. G. Blick and Harvey Daughtrey.

Time has proved the worth of the garments produced by Rudolph & Wallace.

His Foot Badly Injured.
A colored laborer named Elijah Wilson, employed by Captain Henry French, while at work about a dredging machine in Smith's Creek, near the foot of York street, yesterday morning caught his foot in the scoop and was thrown in the mud. When rescued it was found that his foot was badly injured.

Dr. R. U. Burgess temporarily dressed the wound, after which he was sent to St. Vincent's Hospital. On inquiry there last night it was thought the man might lose his foot.

All in sight of monument. "Newest Discovery" extracts teeth painlessly. N. Y. Dental Rooms, Ennes only, 324 Main street, corner Talbot.

DEATHS AND FUNERALS.

CAPT. JOHN W. BROWN.

Captain John W. Brown, who was well known in this city, died in Hampton yesterday morning at 8 o'clock, aged 76 years. The deceased was the father of Mrs. E. E. and Mrs. J. H. Guy, of Norfolk. He was a gentleman of fine character and his demise will be deeply regretted by his many friends here. His funeral will be held from Queen Street M. E. Church, this afternoon.

MR. W. A. LAND.
While laughing and talking with friends, W. A. Land, aged about 50 years, dropped dead on Church street at the corner of Bute street, yesterday afternoon, shortly after 1 o'clock. The deceased was a widower, and had been troubled with an illness several months. He had recently left St. Vincent's Hospital, and was thought to be on the road to recovery.

Mr. Land had no relatives here, with the exception of Mrs. N. B. Morse, a sister, and a niece and nephew, the children of Mr. and Mrs. Morse. The body was taken charge of by Undertaker Smith, at the direction of Mr. Morse, who is a grocer on Water street, and lives at No. 190 Brewer street. The funeral arrangements have not been made.

The deceased was talking with two or three friends at the corner of Church and Bute streets, and seemed well and at right a moment before heart failure overtook him. He dropped suddenly to the pavement, and was taken inside the grocery store of Malbon & Turner, where he expired before medical aid could reach him. The physician who was summoned gave as his opinion that heart failure caused the sudden death.

The coroner was notified of the death but after an examination decided that an inquest was unnecessary.

The deceased has lived here for some time. His wife died several years ago, and left no children. He was until several months ago employed as a clerk in the grocery store of W. A. Shipps, No. 280 Church street.

OTIS DEWEY SHEPHERD.
The funeral of Otis Dewey, the infant son of Mr. and Mrs. George T. Shepherd, of Colley avenue, was held from the residence at 4 o'clock yesterday afternoon, and was conducted by Rev. W. T. Williams, of LeKies' Memorial Church. The interment was in Elmwood Cemetery.

TRESLEY CAFFIE.
Mr. and Mrs. W. W. Caffie, of 110 North Reservoir avenue, lost by death Friday evening their infant son Tresley after a brief illness. The funeral will be held from the residence at 10 o'clock this morning and will be conducted by Rev. Dr. J. P. Barrett, of the Christian Memorial Temple.

It is worth your while to look into the merits of The Gale Jewelry Company's Diamond and Watch Clubs. Ninth club now forming; no installment plan, but \$1 a week.

FIRST SILK EXHIBIT.

MADE BY THE NORFOLK SILK COMPANY.

Several days ago the Virginian-Pilot stated that an exhibit of silks, the product of the mill of the Norfolk Silk Company, would soon be made in the windows of the Watt, Rettew & Clay store.

This exhibit was placed in position in the window east of the main entrance on yesterday afternoon.

The exhibit consists of about a dozen printed patterns of summer silks, and during the afternoon proved a great attraction to the ladies who were out shopping.

This silk was made by beginners, from the labor found in this city, and speaks well for the efforts of the promoters of the silk mill and gives great hope for its future usefulness. The product is pronounced to be first class. The exhibit will remain at this store for several days, in order to give the local public an opportunity to see the character of the work produced here.

The Morgan Engineering Company, of Alliance, O., has let contracts for its additions, which will consist of an addition to the main erecting-room, also a crane shop with an annex.

AT WORK IN EARNEST.

RIDGEWAY LINK TO BE COMPLETED SEPTEMBER 1.

The Richmond-Ridgeway railroad is to be completed by September 1. That is the date named in the contract.

The road is 60 miles long, and it has been cut up into sections of one mile each, and one or more sections sub-let to contractors, who are responsible to J. P. McDonald & Co., the principal contractors.

It is expected that within the next week work will be in progress on every one of these sections.

Two sections of the road have been let to Carpenter Bros., of this city. They will begin work at once. Yesterday they took thirty negroes from here to do the grading. Other hands were secured from other points. Some came from as far south as Mississippi. They are given \$1 a day.

Wednesday night the Carpenters sent to their sections two carloads of mules and horses and two carloads of tools.

JACKSON LIGHT INFANTRY.

WILL APPEAR IN A BODY AT MEMORIAL EXERCISES.

The third meeting of the Jackson Light Infantry looking to reorganization was held last night at the Armory. The old officers of the company and about thirty men were present. Good progress was made toward reorganizing the command.

The company has received an invitation to take part in the parade on Confederate Memorial Day next Thursday. The men will not likely appear in uniform, but will be present in a body. They have no guns and no legal officers or organization, but they agreed to take part in honoring the memory of the Confederate dead.

Married in Princess Anne.

A very pretty wedding was celebrated at Nimmo's M. E. Church, Princess Anne county, Thursday evening at 6 o'clock, the parties to the contract being Mr. W. A. Wright and Miss Doshua Shipp, two popular young residents of the county. The ceremony was performed by Rev. R. B. Scott, pastor of the church, in the presence of a large company of invited guests. A reception was held at the home of the bride.

THE BEE HIVE
350 MAIN STREET.

NORFOLK'S NEW PRICE CUTTERS

DON'T FAIL TO ATTEND OUR OPENING,

Friday and Saturday, May 19th and 20th

See how we have slashed prices for you, and we intend to keep it up; so line up and be on hand and make our opening a grand success.

2½c. 1000 yards best Merrimack Percale Finished Calico, very neat patterns, usual price 5c., Special Opening Price 2½c.

25c. 5 pieces Silver Bleached Table Damask full width and weight, in new patterns, usual price 40c. yard, Special Opening Price 25c.

43½c. 10 dozen 18x36 Full Bleached Crepe Towels, usually sold at 10c., Our Special Opening Price 43½c.

39c. Full size Large Double Bed 4c. Bleached Sheets, made of a splendid quality cotton and excellently made usual price 30c., Special Opening Price 39c.

47½c. Full Size Pillow Cases, made of a good muslin and well made and hemmed, usually 5c., Special Opening Price 47½c.

39c. Large Size Pure Linen Table Cloth, red border, fringed on four sides, pretty patterns, usually sold at 75c., Special Opening Price 39c.

12½c. 50 pieces of the very best Table Oil Cloths, in all the prettiest and newest patterns, others charge 10c. to 25c. yard, Special Opening Price 12½c.

12½c. 30 dozen Pure Linen Knotted Fringe Damask Towels, usually 15c., Special Opening Price 12½c.

6¼c. 100 dozen Men's Full Seamless Socks, black and tan, some among the lot drop-stitched, the men's store sell them at 10c. pair, Our Opening Price 6¼c.

49c. 50 dozen Men's Negligee Shirts, collars and a pair of cuffs. They are priced elsewhere at 75c., Special Opening Price 49c.

12½c. Men's Light Weight Gauze Undershirts, all sizes, very necessary at this time of year, well worth 25c., Our Special Opening Price 12½c.

49c. 50 dozen Men's White Laundry Samples, some are open front, some are buttoned, some are embroidered fronts. None in the lot worth less than 55c., for the Opening 49c.

2½c. 40 dozen Men's Full Size White Lined Handkerchiefs, fast colored borders, nobody sells them for less than 5c., Special Opening Price 2½c.

25c. 25 dozen Men's and Boys' Light and Dark Cheviot Shirts, made with extension neck bands and full yoke back, 30c. should be the price, but for the Opening 25c.

9c. Ladies' Black Braided Sailor Hats, usually sold at millinery stores for 20c., for the Opening only 9c.

5c. 40 dozen Children's Fast Color Black and Tan Hose, in any size from 5 to 9; goods no better being sold elsewhere, Special Opening Price 5c. pair.

47½c. 50 dozen Ladies' and Children's Swiss Ribbed Vests, pure bleached ribbon in neck and sleeves, usually sold at 10c., Special Opening Price 47½c.

49c. Ladies' White India Linen Shirt collars, trimmed with two rows of inserting, laundered collars and cuffs, a regular 75c. value, price for the Opening 49c.

25c. 50 dozen Ladies' Summer or Solid Cotton Corsets, in white or drab, the kind that everyone sells for 25c., Special Opening Price 25c.

98c. Ladies' Sheerest quality White India Linen Waists, entire inserting open work front, fashionably made, \$1.75 is the price, but for the Opening 98c.

29c. Ladies' Linen Crash Skirts, cut wide and full, well made, others advertise them cheap at 50c., Special Opening Price 29c.

46c. For Gloria Cloth, steel rod Umbrellas—genuine Congo handles and guaranteed fast in color, 75c. is the right price, for the Opening 46c.

49c. Ladies' Perfect Fitting Wrappers, cut in up-to-date style and extra well made, Percales and India Blues, should be 75c., but for the Opening 49c.

89c. Ladies' Colored Figured Bril-lantine Skirts—lined throughout, and made in the latest style, \$1.50 should be the price, but for the Opening 89c.

Pronounced Incurable
By His Physician.Cured by Dr. Firey's
Treatment.

"When I returned from Ft. Thomas last spring I found that the typhoid fever had left me with A BAD STOMACH TROUBLE. Upon consulting a physician I was told that I HAD CATARRH OF THE STOMACH BADLY AND WAS PRONOUNCED INCURABLE. I then went to Dr. Firey and placed myself under his treatment and after a few months I WAS CURED AND AM NOW ENJOYING GOOD HEALTH, and I take pleasure in recommending anyone troubled with Catarrh to Dr. Firey. IT WAS A GREAT EFFORT FOR ME TO LIE IN BED AT NIGHT, FOR IT SEEMED AS THOUGH I COULD NOT GET MY BREATH and my nerves were in such a state I would jump at the least sound. SINCE I HAVE TAKEN TREATMENT WITH DR. FIREY I AM A DIFFERENT MAN AND FEEL AS THOUGH I HAD A NEW LEASE ON LIFE. I advise anyone suffering with nervous troubles or stomach trouble to go and take treatment with Dr. Firey. I am willing to talk with anyone who is suffering with any trouble like mine. I CANNOT STATE MY FEELINGS TOWARDS DR. FIREY BETTER THAN TO WISH THAT MANY WHO SUFFER AS I DID MAY GO TO HIM AND THAT HE MAY CURE THEM AS HE DID ME."

CHAS. O. PENDLETON,
No. 193 Duncan Avenue, Ghent,
Norfolk, Va.

L. B. FIREY, M. D., has offices 1 and 2 No. 311 Main street, Norfolk, Va. Specialties: Catarrh and all diseases of Eye, Ear, Nose, Throat, Chest and Stomach. Hours, 9 a. m. to 12:30 p. m.; 2 p. m. to 6:30 p. m. Sunday Hours, 10:30 a. m. to 12:30 p. m. Tuesday night and Thursday night, 7:30 p. m. to 9 p. m. Consultation always free. Medicines furnished. Terms always moderate. Eyes examined for glasses free of charge.

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FANS

Are now recognized as requisites to modern comfort, but their full value in various fields has not yet been realized. Very many public buildings, stores and offices are supplied with electrically driven fans during the summer months, but dwellings, apartment houses and hotels might yet be rendered more comfortable by artificial breezes.

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Sole Agents Sole Agents Sole Agents

For the famous

EDDY REFRIGERATORS.

We also have a full line of other Standard Makes.

FURNITURE.

Special designs for Summer in all novelties of finish and at prices that will surprise you by their lowness.

MATTINGS.

Nothing is so cool and pleasant looking on the floor during the warm summer months as a pretty Matting, which you will find here in the greatest assortment, finest qualities and lowest prices.

Furniture of All Descriptions.

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JOHN B. LOUGHRAN,

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